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July 6, 2001

VIA FEDERAL EXPRESS

Mr. Thomas M. Dorman
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, KY 40602

RE: Investigation Concerning the Propriety of InterLATA Services by BellSouth
Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996;
Case No. 2001-105

Dear Mr. Dorman:

Enclosed for filing in the above referenced case are the original and ten (10) copies of the Rebuttal Testimony of Sprint Communications Company L.P. Thank you for your assistance in this matter, and please call me if you should have any questions.

Sincerely,

A handwritten signature in cursive script that reads "William R. Atkinson".

William R. Atkinson

WRA/aal
Enclosures
cc: Parties of Record

1 **Q. Please state your name and business address.**

2 A. My name is Mark G. Felton. My business address is 7301 College Boulevard,
3 Overland Park, Kansas 66210.

4
5 **Q. By whom are you employed and in what capacity?**

6 A. I am employed by Sprint as Manager- Local Market Development.

7
8 **Q. What is your educational background and work experience?**

9 A. I graduated from the University of North Carolina at Wilmington in 1988 with a
10 B.S. degree in Economics. In 1992, I received a Masters degree in Business
11 Administration from East Carolina University. I began my career with Carolina
12 Telephone (a Sprint subsidiary) in 1988 as a Staff Associate. I have held positions
13 of increasing responsibility and performed functions such as: develop Part 36
14 Jurisdictional Cost Studies; develop costs and prices for Carolina Telephone's
15 interexchange facilities lease product; manage Carolina Telephone's optional
16 intraLATA toll product, Saver*Service; manage and maintain the General
17 Subscriber Services Tariff for South Carolina; serve as the primary point of contact
18 for the South Carolina Public Service Commission Staff on regulatory issues and;
19 provide analytical support in the development of company policy related to such
20 issues as access reform, price caps, and local competition. I assumed my current
21 position in June, 1999.

22
23 **Q. What are your current responsibilities?**

24 A. My current responsibilities include representation of Sprint Communications
25 Company L.P. ("Sprint") in interconnection negotiations with BellSouth

1 Telecommunications, Inc. ("BellSouth"). In addition, I support the coordination
2 of Sprint's entry into the local markets within BellSouth's territory. I interface
3 with BellSouth's account team supporting Sprint by communicating service and
4 operational issues and requirements, including escalation of service and/or support
5 issues as necessary.
6

7 **Q. Have you testified previously before state regulatory Commissions?**

8 A. Yes, I have testified before state regulatory Commissions in Florida, Georgia,
9 Kentucky, Louisiana, and North Carolina.
10

11 **Q. What is the purpose of your Rebuttal Testimony?**

12 A. The purpose of my rebuttal testimony is to provide input to the Kentucky Public
13 Service Commission ("KPSC") regarding BellSouth's Petition for in-region
14 authority to provide interLATA long-distance services (Case No 2001-105,
15 Investigation Concerning The Propriety Of Provision Of InterLATA Services By
16 BellSouth Telecommunications, Inc., Pursuant To The Telecommunications Act
17 Of 1996). Specifically, my testimony will discuss claims made by BellSouth's
18 witness, Mr. Ronald M. Pate, that BellSouth has satisfied the requirements for
19 checklist item number 2, nondiscriminatory access to network elements, which
20 includes Operational Support Systems ("OSS"). I will discuss the access that
21 BellSouth provides to Loop Make-up information.
22

1 **Loop Make-up (LMU) Information**

2 **Q. On page 85 of Mr. Pate's Direct Testimony, BellSouth claims that it provides**
3 **electronic access to LMU Information. Please comment on BellSouth's**
4 **electronic interface for obtaining LMU information.**

5 A. Although BellSouth has deployed an electronic interface for CLECs to access
6 LMU information, the reality is that a CLEC's ability to obtain the needed
7 information is questionable. As stated in Mr. Pate's testimony, BellSouth provides
8 electronic access to LMU information via the Loop Facility Assignment and
9 Control System ("LFACS"). Sprint's understanding is that the extent to which the
10 LFACS database is populated with LMU information varies greatly by wire center.
11 Based on a very high level analysis of data provided by BellSouth to Sprint in early
12 2001, the percentage of loops by wire center in Kentucky for which LMU
13 information is populated in the LFACS database ranges from 0% to 100%.
14 BellSouth's average of all loops within its nine-state region, as provided to Sprint,
15 was 41%. With such an inadequate data source, in many cases Sprint and other
16 CLECs will be forced into a manual process for obtaining LMU information.

17
18 **Q. What has the FCC said about an ILEC's obligation to provide LMU**
19 **information on an automated basis?**

20 A. The FCC has stated clearly in ¶ 427 of the UNE Remand Order (FCC 99-238,
21 Released November 5, 1999) that "an incumbent LEC must provide the requesting
22 carrier with nondiscriminatory access to the same detailed information about the
23 loop that is available to the incumbent". The FCC goes on to state in ¶ 429 that
24 "[i]f an incumbent LEC has not compiled such information for itself, we do not
25 require the incumbent to conduct a plant inventory and construct a database on

1 behalf of requesting carriers”. However, and very importantly, the FCC states in ¶
2 430 that “the relevant inquiry is not whether the retail arm of the incumbent has
3 access to the underlying loop qualification information, but rather whether such
4 information exists anywhere within the incumbent’s back office and can be
5 accessed by any of the incumbent LEC’s personnel.” Also key is ¶ 429 which says
6 that “to the extent their [the ILEC’s] employees have access to the information in
7 an electronic format, that same format should be made available to new entrants
8 via an electronic interface.”

9
10 **Q. Does BellSouth have additional electronic sources for LMU data at its**
11 **disposal that are not made available to CLECs?**

12 A. Sprint believes that BellSouth does have additional internal sources for LMU
13 information in Kentucky.

14
15 **Q. Why does Sprint believe that BellSouth has other sources for LMU data at its**
16 **disposal that are not made available to CLECs?**

17 A. In North Carolina, the North Carolina Utilities Commission (“NCUC”) found in its
18 Generic UNE proceeding (Docket No. P-100, Sub 133d), that “BellSouth is not
19 providing nondiscriminatory access to loop qualification information. BellSouth
20 should be required to provide access to the Corporate Facilities database.”

21
22 **Q. Why should the KPSC consider findings by the Commission in North**
23 **Carolina?**

24 A. Although the NCUC findings are not binding on the KPSC, Sprint respectfully
25 submits that, based on Mr. Pate’s assertion on Page 9 of his Direct Testimony that

1 BellSouth's OSS are regional in nature and the fact that BellSouth had other
2 electronic sources for LMU data in North Carolina, BellSouth should be ordered
3 to provide CLECs with access to the Corporate Facilities database and any other
4 database that contains LMU information in Kentucky.

5
6 **Q. What is the Corporate Facilities database?**

7 A. According to Mr. Pate's testimony in North Carolina, the Corporate Facilities
8 database contains information on all loops within the state and includes LMU
9 information. The database is accessed electronically. Once logged into the
10 system, information can be accessed within a couple of minutes (often within a few
11 seconds).

12
13 **Q. What else did the NCUC conclude?**

14 A. The NCUC also found that "since BellSouth's retail operations have had access to
15 such data through electronic means and BellSouth was required to provide similar
16 access to [CLECs] by May 17, 2000, [CLECs] should be allowed to pay only the
17 non-recurring charge for electronic processing, even when manual intervention is
18 in fact required, until beta testing is complete and a final version of the electronic
19 interface is available to all [CLECs]."

20
21 **Q. Based on BellSouth's prefiled testimony in this proceeding and on your
22 knowledge and belief, does BellSouth provide nondiscriminatory access to
23 loop information in Kentucky?**

24 A. No, it does not.
25

1 Q. Does this conclude your Rebuttal Testimony?

2 A. Yes.

VERIFICATION

STATE OF Kansas
COUNTY OF Johnson

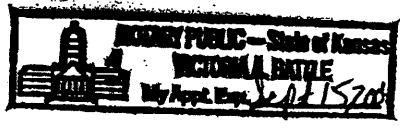
BEFORE ME, the undersigned authority, duly commissioned and qualified in and for the State and County aforesaid, personally came and appeared Mark G. Felton, who being by me first duly sworn deposed and said that:

He is appearing as a witness on behalf of Sprint Communications Company L.P. before the Kentucky Public Service Commission in Case No. 2001-105, and if present before the Commission and duly sworn, his testimony would be the same as set forth in the annexed Rebuttal Testimony consisting of 6 pages and 0 exhibits.

Mark G. Felton
Mark G. Felton

SWORN TO AND SUBSCRIBED BEFORE ME THIS 6th DAY OF July, 2001.

Victoria A. Bell
NOTARY PUBLIC



CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and exact copy of the foregoing Rebuttal Testimony of Sprint Communications Company L.P., Docket No. 2001-105, via first-class United States Mail, postage paid and properly addressed to the following:

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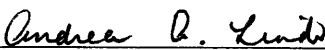
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This 6th day of July, 2001



Andrea A. Lindo
Sprint Communications Company, L.P.